THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.18256 of 2005

19-08-2005

Between:

B.Narsaiah

... PETITONER

AND

1. The Special Dy.Collector (TW), Bhadrachalam, Khammam District and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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Writ Petition No.18256 of 2005

ORDER:

This writ petition is filed aggrieved by the inaction of the second respondent in passing orders on the stay petition filed by the petitioner pending disposal of the appeal.

It is stated that the petitioner is the owner and possessor of land to an extent of Ac.2.00 gts in Survey No.17/50 situated at Laxmidevipally (v), Kothagudem (M), Khammam District. It is also stated that the first respondent initiated proceedings under the A.P. Scheduled Areas Land Transfer Regulations, 1959 against the petitioner and after conducting enquiry, passed an order of eviction on 28.12.2004. Aggrieved by the same, the petitioner filed an appeal before the second respondent on 25.04.2005. Later, the petitioner filed a petition seeking protection of his possession pending disposal of the appeal. However, the second respondent has not passed nay orders. Hence, the present writ petition.

At the time of hearing, the learned counsel for the petitioner reiterated the contentions and sought for an order protecting the petitioner's possession pending disposal of the appeal.

The learned Government Pleader for Social Welfare appearing for the respondents, however, stated that though the petitioner filed an appeal in month of April, 2005, he filed the stay petition only in the month of August, 2005. In fact, the petitioner was dispossessed on 23.03.2005. Therefore, the petitioner is not entitled to any protection.

In reply, the learned counsel for the petitioner contended the petitioner is in possession as no proceedings are initiated for eviction

of the petitioner.

Heard both sides and considered the material on record.

Under the above circumstances, the writ petition is disposed of directing the second respondent to dispose of the appeal filed by the petitioner expeditiously, preferably within a period of three months from the date of receipt of a copy of this order. Till then, the respondents are directed to maintain *status quo* as on today with reference to possession of the land. No costs.

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19.08.2005

VGB